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10/685,277	10/14/2003	Sheldon H. Foss JR.	03001.1030	4917

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EXAMINER
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BASIT, ABDUL

ART UNIT	PAPER NUMBER
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3694

MAIL DATE	DELIVERY MODE
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03/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/685,277

**Applicant(s)**

FOSS ET AL.

**Examiner**

ABDUL BASIT

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This office action is in response to Applicant's amendment received on 1/18/2008 2007.

#### ***Summary of Office Action***

1. Claims 1-22 are pending.
2. Applicant has amended claims 1 and 21. The amendments required a new search and therefore Applicant's arguments are considered moot and non-responsive.
3. Applicant has provided no other factual arguments relating to any other claims, other than that they should be allowable because claims 1 and 21 are allowable. Since claims 1 and 21 have been rejected, all other claims also remain rejected.
4. This action is final on the merits.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 10, 12-14, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Risafi (US Pat. No. 6,473,500) in view of Evans (US Pub. No. 2004/0078340).

#### ***Regarding claim 1:***

Risafi teaches

- A terminal that can be operated by a merchant to provide a plurality of financial services to a customer, the terminal comprising: a data input interface; a user interface; a network interface for communicatively coupling the terminal to a server. *(see column 3, lines 54-67 and column 4, lines 1-67)*
- A processor coupled to said data input interface, said user interface and said network interface the processor being operable to: receive a financial service selection from the user interface, the financial service requiring the creation of a financial account; *(see column 3, lines 54-67 and column 4, lines 1-67)*
- Extract session data from a data source through said data input interface; *(see column 3, lines 54-67 and column 4, lines 1-67 )*
- Obtain an authorization from said server to provide the selected provide the selected financial service including the creation of the financial account. *(see column 3, lines 54-67 and column 4, lines 1-67)*
- Provide the selected financial service including the creation of the financial account. *(see column 3, lines 54-67 and column 4, lines 1-67)*

Evans, not Risafi, teaches the authorization includes applying underwriting criteria to the session data. *(See paragraphs 35-36 and 48)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Risafi with Evans. Motivation to modify exists because underwriting criteria helps to determine the best financial product for a specific customer.

**Regarding claim 2:**

Risafi further teaches the processor is further operable to request validation of said

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session data from said server. *(see column 11 lines 64-67 and column 12, lines 1-9 regarding PDC 404 )*

**Regarding claim 3:**

Risafi further teaches the processor is further operable to:

update said session data based at least in part on the provision of the financial service and the validation; *(see column 11, 42-57, regarding 406 Card and account file)* and write the updated session data to the data source through the data interface. *(see column 11, 42-57, regarding 406 Card and account file)*

**Regarding claim 4:**

Risafi teaches processor is further operable to update said session data based at least in part on the validation, and write the updated session data to the data source through the data interface. *(see column 11, 42-57, regarding 406 Card and account file)*

**Regarding claim 5:**

Risafi further teaches the processor is further operable to update said session data based at least in part on the provision of the financial service; and write the updated session data to the data source through the data interface. *(see column 11, 42-57, regarding 406 Card and account file)*

**Regarding claim 6:**

Risafi further teaches the data interface includes a magnetic card. *(see column 11, lines 18-20)*

**Regarding claim 10:**

Risafi further teaches generating a pre-paid card. *(see abstract )*

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**Regarding claim 12:**

Risafi further teaches the providing cash to a customer. (*see abstract*)

**Regarding claim 13:**

Risafi further teaches performing a transfer of funds between a first and second account. (*see column 5, lines 11-16*)

**Regarding claim 14:**

Risafi further teaches transferring the stored value on a first stored-value card to the balance on a second stored value card. (*see column 5, lines 11-16*)

**Regarding claim 16:**

Risafi teaches generating a pre-paid telecommunications card. (*see abstract*)

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi in view of Evans and in further view of Kolls (US Pub. No. 2002/0077889)

**Regarding claim 7:**

Kolls, not Risafi, teaches the data interface includes a bar code reader. (*see ¶ 74*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Risafi with Kolls. Motivation to modify exists because a bar code reader provides flexibility as to the type of card that can be used.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi in view of Evans and in further view of Weiner (US Pub. No. 2002/0040355)

**Regarding claim 8:**

Weiner, not Risafi, further teaches the input interface includes a scanner. (*see ¶ 24*)

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Risafi with Kolls. Motivation to modify exists because a bar code reader provides flexibility as to the type of card that can be used.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi in view of Evans and in further view of Weiner and in further view of Miller (US Pub. No. 2002/00236369)

***Regarding claim 9:***

Miller, not Risafi, teaches the processor is further operable to apply a template to selectively scan portions of the data source in obtaining the said session data. (see ¶ 61, 239)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Risafi with Miller. Motivation to modify exists because a bar code reader provides flexibility as to the type of card that can be used.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi in view Evans and in further view of Wu (US Pub. No. 2003/0046249)

***Regarding claim 11:***

Wu further teaches granting approval for accepting a check. (see ¶ 43)

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi in view of Evans and in further view of Hughes (US Pat. No. 5,754,655)

***Regarding claim 15:***

Hughes, not Risafi, teaches executing the payment of one or more bills that includes

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receiving information identifying the recipient of the bill, the amount of a bill, the source of funds for making the payment of the bill. (*see abstract*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Risafi with Hughes. Motivation to modify exists because obtaining information on a bill help to lessen fraud.

9. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi in view of Maritzen (US Pat. No. 5,987,429)

***Regarding claim 17:***

Risafi further teaches providing to a merchant a financial terminal capable of performing a plurality of financial services for a customer; (*see abstract*)

Maritzen, not Risafi, teaches receiving a selection of a financial service; performing the selected financial service; collecting a fee from said customer for said financial service; (*see column 2 lines 50-56, and abstract*) and

Maritzen, not Risafi, teaches compensating said merchant with a portion of said fee. (*see column 2 lines 50-56, and abstract*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Risafi with Martizen. Motivation to modify exists because providing a merchant with a portion of the fee helps to promote the greater use of the system amongst businesses.

***Regarding claim 18:***

Risafi further teaches the step of receiving session data from said customer. (*see column 11, 42-57, regarding 406 Card and account file*)



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**Regarding claim 19:**

Risafi further teaches the step of receiving authorization from a server for said financial service based at least in part on said session data. (*see column 11, 42-57, regarding 406 Card and account file*)

**Regarding claim 20:**

Risafi further teaches the session data after completion of said financial service. (*see column 11, 42-57, regarding 406 Card and account file*)

10. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Risafi in view of Allitson (US Pub. No. 2003/0036998) and in further view of Cataline (US Pub. No. 2003/0055783).

**Regarding claim 21:**

Risafi teaches a terminal having a network interface for interfacing to said server and a data interface for receiving a data source and being operable to:

- Extract session data from said data source via said data interface; receive a financial service selection, the financial service requiring the creation of a financial account; obtain validation from said server; and perform said selected financial service; (*see column 3, lines 54-67 and column 4, lines 1-67*)
- Said server having a network interface for interfacing to said terminal and being operable to receive session data from said terminal via said network interface; (*see column 3, lines 54-67 and column 4, lines 1-67*)
- Validate the selected financial service based in part on said session data; (*see column 3 lines 38-65*) and

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- Establishing said financial account proximate to the validation of the financial service selection;
- identifying additional financial services that are available based on the session data;
- send a validation notice to said terminal via said network interface. (*see column 3 lines 38-65*)

Alliston, not Risafi, teaches detecting fraudulent or suspicious activity associated with the financial account (*see abstract and ¶ 6*)

Cataline, not Risafi, teaches altering a parameter of the financial account based on aggregated data from other financial accounts and a risk model. (*See ¶ 31-33 and 91*)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Risafi with Allitson and Cataline. Motivation to modify exists because detecting fraud helps to reduce the cost of doing business. Also, motivation to modify exists because using data from other financial accounts and a risk model help to reduce costs relating to financial losses.

**Regarding claim 22:**

Risafi further teaches that for the system of claim 21, wherein said terminal is further operable to update said session data after performing said selected financial service and send said updated session data to said data source via said data interface. (*see column 11, 42-57, regarding 406 Card and account file*)

**Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ABDUL BASIT** whose telephone number is (571)272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/aqb/

/James P Trammell/  
Supervisory Patent Examiner, Art Unit 3694